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18 **UNITED STATES DISTRICT COURT**  
19 **NORTHERN DISTRICT OF CALIFORNIA**  
20 **SAN FRANCISCO DIVISION**

21 AMERICAN FEDERATION OF  
22 GOVERNMENT EMPLOYEES, AFL-CIO, et  
al.,

23 Plaintiffs,

24 v.

25 DONALD J. TRUMP, in his official capacity as  
26 President of the United States, et al.,

27 Defendants.  
28

Case No.: 3:25-cv-03070-JD

**DECLARATION OF JOHN GARVEY**

**DECLARATION OF JOHN GARVEY**

I, John Garvey, declare as follows:

1. I am over 18 years of age and competent to give this declaration. This declaration is based on my personal knowledge, information, and belief.

2. I am a program analyst at the General Services Administration (GSA). I have worked for GSA for 35 years since May 1989. In my role as a program analyst in portfolio management division, I perform analysis of various performance measures such as percentages of small business contracting.

3. I am the Region 9, Regional Vice President, of the American Federation of Government Employees Local 236. I have been a union officer for 20 years holding various positions.

4. Local 236 represents a bargaining unit of approximately 4,000 civil servants who work for GSA. These employees include those involved in real estate management functions such as architects, engineers, property managers, project managers, realty specialists, leasing specialists, historic preservation specialists, account managers, and contracting officers. These bargaining unit members are involved in real estate management functions. The employees Local 236 represents are not involved in any national security functions. Despite this, on its face the March 27, 2025, Executive Order titled "Exclusions from Federal Labor Management Relations Programs" ("Executive Order") appears to cover all of the workers in Local 236's bargaining unit.

5. Local 236's mission is to advocate for and promote the interests of bargaining unit members in their federal employment, including working for a safe and fair workplace for all members. As the exclusive bargaining representative of these workers, the Union provides many services to all bargaining unit members. Core functions of the Union include collective bargaining with the agency to obtain a fair and reasonable collective bargaining agreement ("CBA"); filing and negotiating grievances against the agency to enforce the terms and conditions of the CBA; pursuing arbitrations on behalf of workers to enforce the CBA; and

1 providing other support, guidance, and resources to bargaining unit employees. We assist  
2 members in reporting waste, fraud, and abuse.

3 6. The Executive Order will have an immediate adverse effect on the Union's ability  
4 to provide these services to unit members and to accomplish its mission. The Executive Order  
5 will also have an immediate adverse impact on workers in the bargaining unit.

6 7. If the Union is no longer the exclusive bargaining representative of the unit, the  
7 Union cannot enforce the CBA against the agency. The CBA, which was effective from  
8 November 2011 and has rolled over annually ever since, provides important rights and  
9 protections to workers. For instance, the CBA:

- 10 a. Sets terms and conditions for working hours, overtime, sick leave, holidays, and  
11 paid time off for workers in the unit.
- 12 b. Imposes safety and health requirements to ensure the welfare of workers in their  
13 place of employment.
- 14 c. Establishes protections for workers regarding reduction-in-force ("RIF") actions  
15 and procedures.
- 16 d. Imposes procedures for and limitations on disciplinary and adverse actions against  
17 workers.
- 18 e. Provides for an Employee Assistance Program for individuals who have problems  
19 associated with alcohol, drug, marital, family, legal, financial, stress, attendance,  
20 and other personal concerns.
- 21 f. Establishes grievance and arbitration procedures for employees and the Union to  
22 resolve disputes with the agency over employment matters.
- 23 g. Provides for official time, which allows bargaining unit employees to perform  
24 union representation activities during certain amounts of time the employee  
25 otherwise would be in a duty status, without loss of pay or charge to annual leave,  
26 and on agency property.
- 27

1 Without the Union to represent them and enforce the CBA, the workers will not have the  
2 benefit of those rights and protections going forward. I also understand that the agency is  
3 directed to rescind the CBA under the Executive Order.

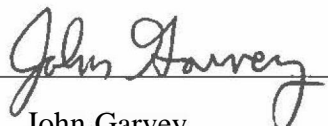
4 8. As a result of the Executive Order, pending grievances and arbitrations to  
5 vindicate workers' rights, including under the CBA, will be left unresolved. We currently have  
6 several grievances related to disciplinary issues and performance rating matters.

7 9. The Union's staff and activities are funded through members' voluntary dues. If  
8 the Union can no longer receive dues under the Executive Order, the Union will not be able to  
9 continue to function or provide any of its services or protection to the members listed above.

10 10. If Union officers can no longer make use of official time, it will be impossible for  
11 the Union to fulfill its representational duties. Union officers must participate in meetings with  
12 management and with employees that necessarily occur during work hours. Requiring officials to  
13 take leave to participate in these meetings be unworkable.

14 11. The Executive Order is chilling workers' speech and activity. I know firsthand  
15 that without the protections of the CBA and the Union, workers will be afraid to raise concerns  
16 over workplace conditions with the agency. Additionally, because this Executive Order targets  
17 federal unions and their employees, I am reluctant to criticize the administration or voice  
18 political views the administration may not approve of, for fear of further retaliation. I understand  
19 from my interactions with other federal employees that many of them feel the same way.

20 I declare under penalty of perjury under the laws of the United States that the foregoing is  
21 true and correct. Executed April 1, 2025, in San Francisco, California.

22  
23   
24 John Garvey